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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,420	03/07/2002	Manuel Nedbal	01.285.01	7937

7590	12/23/2005	EXAMINER

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ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 October 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4,9-12,14-21,26-29,31-38,43-46 and 48-54</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-4,9-12,14-21,26-29,31-38,43-46 and 48-54</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Response to Arguments

1.   Applicant's arguments with respect to Claims 1-4, 9-12, 14-21, 26-29, 31-38, 43-46, and 48-54 have been considered but are moot in view of the new ground(s) of rejection.

2.   Applicant argues that Uszok failed to pass " if said target process is available to said target computer to pass at least a portion of said operation specifying data from said agent process to said target process".

The Office respectively disagrees.

Referring to Fig. 4, and [0079], l. 1-15, and [0080], l.1-8, the plug-in is available to the target computer (botServer) and the plug-ins can be configured so that they have the same ID on every server. Also, plug-ins can be installed by botServer manager (which is the agent process) communicates with other plug-ins and bots via botServer manager using messages. Therefore, the plug-in can be passed from the agent process (botServer manager) to target process (plug-in manager), and both agent, and target processes are performed at the same target computer (botServer).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 1-4, 9-12, 14-21, 26-29, 31-38, 43-46, and 48-54 are rejected under 35 U.S.C 103(a) as being unpatentable over Uszok et al., (U.S. PG Pub. No. 2004/0205772) in view of Kouznetsov et al., (US Patent No. 6931546). Claims 5-8, 13, 22-25, 30, 39-42, and 47 are canceled as applicant requested.

2.   Regarding claim 1, Uszok teaches a computer program product for controlling a target computer to perform an operation in response to data received from an initiating computer (Uszok, [0009], l.1-11, [0054], l.13-19, fig.9, two agents, sBot and mBot, reside in botServer, and botMaster, respectively, and an initiating computer, botMaster, both agents are implemented as a separate executable program), said computer program product comprising:

- agent process code operable to execute on said target computer to provide an agent process to : receive at an agent process executing on said target computer autonomously generated operation specifying data sent from said initiating computer to said target computer (Uszok, [0050], l.1-9, [0054], l.13-25, [0055], l.4-9, botServer corresponds to the target computer);

- read from said operation specifying data an identifier of a target process for performing said operation (Uszok, [0054], l.13-25, [0057], l.1-7, each sBot and mBot have knowledge of their sibling common

globally unique identifier); and

- if said target process is available to said target computer to pass at
  least a portion of said operation specifying data from said agent
  process to said target process (Uszok, [0079], I.1-15, [0080], I.1-8);
  and

- target process code operable to provide one or more target
  processes for performing operations in response to operation
  specifying data, said one or more target processes being provided at
  said target computer independently of said agent process (Uszok,
  [0079], I.1-15, [0083], I.1-8, [0084], I.1-1-6, in which the target
  processes Plug-ins and Security Registry corresponds to the one or
  more target processes are provided at the target computer
  (botServer) and the botServer manager corresponds to the agent
  process);

- wherein said operation performed includes configuration said target
  computer to execute a computer program (Uszok, [0144], I. 1-13in
  which the sBot an process in the target computer can be configured
  to clone a new server to perform the botServer functions);

Uszok teaches limitations about the agent process, and target process, but
fails to teach the map the configuration data to the data store of said target
computer .

However, Kouznetsov teaches:

- wherein said target process (request a initialization) is operable to

    map configuration data specified within said operation specifying data

    to a configuration data store of said target computer; wherein said

    configuration data store is one of : a Window Registry entry, an INI

    file, a DAPI store, and a database entry, (Karanam, col.9, I.59-65,

    col.12, I.9-20, in which the initialization file embedded in the file

    corresponds to map the configuration specified within (embedded)

    said operation using .ini files);

It would have been obvious to one ordinary skilled in the art at the time of

invention by incorporating Kouznetsov's system configuration file update , which

initializes and performs code updating involving the operating system with Uszok's

BotBox setup. (Uszok, [0068], I.4-10) because both are using the communication

message from browser (GUI) to request initialization on a botServer.

The motivation would be that the combination of Kouznetsov and Uszok's

structure by implementing Kouznetsov's system initialization to update the configuration

with the authorization for installation under the privileged mode (Kouznetsov , col.4, I.

45-50) for remote system. With Uszok's security registry capability (Uszok, [0084], I.1-

5) it will increase the security level and prevent un-authorize user from intruding the

system.

- wherein said identifier of a target process includes at least one of:

    data specifying a computer file operable to trigger said target

    process; data specifying a communication channel operable to

trigger said target process; and data specifying an operating

system command operable to trigger said target process. (Uszok,

[0068], l.3-10, using the communication channel to trigger the

BotBox initialization)

3.   Regarding claim 2, Uszok further discloses a computer program product as

claimed in claim 1, wherein said operation specifying data is passed from said

initiating computer to said target computer as XML data (Uszok, [0014], l.11).

4.   Regarding claim 3, Uszok further discloses a computer program product as

claimed in claim 2, wherein said operation specifying data represents a target

process as a complex data type within said XML data (Uszok, [0065], l.1-14).

5.   Regarding claim 4, Uszok further discloses a computer program product as

claimed in claim 3, wherein parameter data used by a target process is

represented by data within said complex data type of said target process (Uszok,

[0069], [0077], [0088]).

6.   Regarding claim 9, Uszok further discloses a computer program product as

claimed in claim 1, wherein said operation specifying data includes parameter

data used by said target process in said operation (Uszok, [0070], l. 18-20).

7.   Regarding claim 10, Uszok further discloses a computer program product as

claimed in claim I , wherein said operation includes returning result data from said

target computer to said initiating computer in dependence upon said operation

performed by said target process (Uszok, [0009], l.7-9, [0070], l. 1-22, [0093], l.1-

12).

8.   Regarding claim 11, Uszok further discloses a computer program product as

claimed in claim 10, wherein said result data includes data specifying existing

configuration data of said target computer (Uszok, [0122], l.1-2, which profile

corresponds to configuration data) .

9.   Regarding claim 12, Uszok further discloses a computer program product as

claimed in claim 11, wherein said target process is operable to map existing

configuration data of said target computer stored within a configuration data store

of said target computer to said result data to be returned to said initiating

computer (Uszok, [0100], l.1-15),

10.   Regarding claim 14, Uszok further discloses a computer program product as

claimed in claim 12, wherein said result data is passed from said target

computer to said initiating computer as XML data (Uszok, [0088], [0128])..

11.   Regarding claim 15, Uszok further discloses a computer program product as

claimed in claim 1, wherein said operation includes returning result data from said

target computer to said initiating computer independence upon whether or not

said target process is available to said target computer (Uszok, [0050], [0068]).

12.   Regarding claim 16, Uszok further discloses a computer program product as

claimed in claim 1, wherein an operation that may be performed by said target

computer includes installing a new target process (Uszok, [0083], l.1-8).

13.   Regarding claim 17, Uszok further discloses a computer program product as

claimed in claim 1, wherein said operation specifying data is validated by said

target computer by comparing with a template defining valid data (Uszok,

[0073], l.14-21).

14.   Regarding claims 18-21, 26-29, 31-34 have similar limitations as claims 1-4, 9-

12, 14-17. Therefore, claims 18-21, 26-29, 31-34 are rejected for the same

reasons set forth in the rejection of claims 1-4, 9-12, 14-17.

15.   Regarding claims 35-38, 43-46, 48-51 have similar limitations as claims 1-4, 9-

12, 14-17.Therefore,   claims 35-38, 43-46, 48-51 are rejected for the same

reasons set forth in the rejection of claims 1-4, 9-12, 14-17.

16.   Regarding claim 52, Kouznetsov further discloses a computer program product

as claim 1, further comprising validating a said operation specifying data received

at said agent process against schema data, where said schema data is sent to

said agent process from said initiating computer at the same time as said

operation specifying data (Kouznetsov, col.7, l.24-32, in which the validation is

required for the initialization as mention at claim 1 above).

17.   Regarding claim 53, Kouznetsov further discloses a computer program product

as claim 1, further comprising validating a said operation specifying data received

at said agent process against schema data, where said schema data is present

in said agent process when said operation specifying data is sent (Kouznetsov,

col.10, l.48-63, in which the authenticate processes the configuration file which is

in using and performs validation on this file).

18.   Regarding claim 54, Kouznetsov further discloses a computer program product

as claim 1, further comprising parsing said operation specifying data after

validating said operation specifying data to extract at least one identifier for

mapping said at least one identifier to an available target process (Kouznetsov,

col.7, I.27-32, in which the authenticode procedures accessed via a separate

authentication module from the digital certificate and retrieve the digital

signature, corresponds to parse and performs the authentication and validation

functions).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action, Accordingly, **THIS ACTION IS MADE FINAL.** See MEPE 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first replay is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE MONTH shortened statutory period, then the

shortened statutory period will expire on the date advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12/20/05
KYL

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SUPERVISORY PATENT EXAMINER